1   AN ACT

2   relating to the exemption of certain persons from the requirement

3   that a person who requires disclosure of a social security number

4   adopt a privacy policy.

5   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6   SECTION 1.   Section 35.581(c), Business & Commerce Code, as

7   added by Chapter 198, Acts of the 79th Legislature, Regular

8   Session, 2005, is amended to read as follows:

9   (c) This section does not apply to:

10   (1) a person who is required to maintain and

11   disseminate a privacy policy under the Gramm-Leach-Bliley Act (15

12   U.S.C. Sections 6801 to 6809), the Family Educational Rights and

13   Privacy Act (20 U.S.C. Section 1232g), or the Health Insurance

14   Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d

15   et seq.);

16   (2) a covered entity under rules adopted by the

17   commissioner of insurance relating to insurance consumer health

18   information privacy or insurance consumer financial information

19   privacy;

20   (3) a governmental body, as defined by Section

21   552.003, Government Code, other than a municipally owned utility;

22   [or]

23   (4) a person with respect to a loan transaction, if the

24   person is not engaged in the business of making loans; or

1   (5) a person subject to Section 901.457, Occupations

2 Code.

3   SECTION 2. This Act takes effect September 1, 2007.

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    President of the Senate   Speaker of the House

    I certify that H.B. No. 863 was passed by the House on March 22, 2007, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

_____

           Chief Clerk of the House

    I certify that H.B. No. 863 was passed by the Senate on May 3, 2007, by the following vote: Yeas 31, Nays 0.

_____

           Secretary of the Senate

APPROVED: _____

         Date

_____

       Governor